

CITY OF LACONIA - CITY COUNCIL MEETING
October 13, 2020
7:00 P.M.

10/13/2020 - Minutes

1. CALL TO ORDER

Mayor Hosmer called the meeting to order at the above date and time.

Mayor Hosmer stated that the public has access to listen to and participate in the meeting via Zoom and entering password 233474. Listen only by calling 1-301-715-8592 and Webinar ID 817 7713 6584. To view this meeting: YouTube at <https://www.youtube.com/laconianh> or through Lakes Region Public Access, Channel 24. For any problems, please call 603-524-3877 ext 225 or email cityclerk@laconianh.gov

2. SALUTE TO THE FLAG

Councilor Hamel lead the Salute to the Flag.

3. RECORDING SECRETARY

Cheryl Hebert, City Clerk

4. ROLL CALL

City Clerk Hebert took a roll call vote with the following Councilors in attendance: Bruce Cheney, Bob Soucy, Henry Lipman, Mark Haynes, Bob Hamel, and Tony Felch.

Mayor Hosmer noted all six Councilors were in attendance and a quorum was established.

5. STAFF IN ATTENDANCE

Scott Myers, City Manager

Glenn Smith, Finance Director

6. COUNCIL PROCLAMATION

7. ACCEPTANCE OF MINUTES FROM PREVIOUS MEETINGS

7.A. Regular meeting minutes of September 28, 2020

Minutes of the meeting were distributed to the Council on Friday, October 2, 2020. With no changes or corrections submitted to the Clerk, the minutes will be accepted as distributed.

8. CONSENT & ACTION ITEMS

8.A. Request to approve unanticipated funds for a Center for Tech and Civic Life grant in an amount of \$7,761 to be used for Election expenses

Councilor Felch moved to approve the acceptance of the Center for Tech and Civic Life Grant in an amount of \$7,761 to be used for elections, seconded by Councilor Hamel;

Councilor Hamel asked who would be submitting the report. City Manager Myers explained the Clerk

will work with the Finance Director.

Mayor Hosmer called the question.

the *motion passed with all in favor.*

9. **CITIZEN COMMENTS FOR MATTERS NOT ON THE AGENDA**

No comments from the public were made.

10. **INTERVIEWS**

10.A. **Dean Anson, II - Seeking reappointment as a regular member of the Conservation Commission to a three-year term expiring at the end of August, 2023**

Dean Anson, II was interviewed.

10.B. **Dean Anson, II - Seeking reappointment as a regular member of the Lakes Region Planning Commission to a four-year term expiring at the end of June, 2024**

Dean Anson, II was interviewed.

10.C. **Bradley Fitzgerald - Seeking appointment as a regular general public member of the Building Code Board of Appeals to a five-year term expiring at the end of March, 2025**

Bradley Fitzgerald was interviewed.

10.D. **Michael Fogarty - Seeking appointment as a regular member of the Trustees of the Trust Funds to fill the term of Jon Nivus expiring at the end of March, 2023**

Michael Fogarty was interviewed.

10.E. **Patrick Wood - Seeking appointment as a regular member of the Trustees of the Trust Funds to fill the term of Jon Nivus expiring at the end of March, 2023**

Patrick Wood was interviewed.

Councilor Hamel moved to suspend the Council Rules for the election of the Trustees of the Trust Funds, seconded by Councilor Soucy;

Councilor Lipman asked what the balance of all of the Trusts are? Finance Director Smith stated around one million dollars. City Manager Myers will provide those numbers to the Council.

Mayor Hosmer called the question:

the *motion passed with all in favor.*

Councilor Cheney moved to appoint Michael Fogarty as a regular member of the Trustees of the Trust Funds to fill the term of Jon Nivus expiring at the end of March, 2023, seconded by Councilor Lipman; the motion passed with all in favor.

Councilor Cheney would like to thank Patrick Wood for putting his name in for this position.

10.F. **Joe Driscoll, III - Seeking reappointment as a regular member of the Weirs TIF District Advisory Board to a three-year term expiring at the end of June, 2023**

Joe Driscoll, III was interviewed.

10.G. **Michael Sweet - Seeking appointment as a regular member of the Heritage**

Commission to a three-year term expiring at the end of March, 2023

Michael Sweet was interviewed.

Councilor Haynes moved to suspend the Council rules pertaining to the election to the Heritage Commission, seconded by Councilor Hamel; the motion passed with all in favor.

Councilor Haynes moved to appoint Michael Sweet as a regular member of the Heritage Commission to a three-year term expiring at the end of March, 2023, seconded by Councilor Felch; the *motion passed with all in favor.*

10.H. **Michael DellaVecchia - Seeking reappointment as an alternate member of the Zoning Board of Adjustment to a three-year term expiring at the end of August, 2023**

Michael DellaVecchia was interviewed.

10.I. **Kimon Koulet - Seeking reappointment as a regular member of the Highway Safety Commission to a three-year term expiring at the end of March, 2023**

Kimon Koulet was interviewed.

11. **NOMINATIONS, APPOINTMENTS & ELECTIONS**

12. **COMMUNICATIONS**

13. **PUBLIC HEARINGS**

13.A. **Public hearing for Ordinance 201-15, Streets and Sidewalks and Ordinance 201-16, Excavation, Driveway, paving and digging permits**

Notice of this public hearing was made available in the October 1, 2020 edition of the Laconia Daily Sun, and posted at Laconia City Hall, Laconia Public Library, Community Center, and SAU.

Mayor Hosmer opened the public hearing at 7:48 pm.

Hearing no comment from the public, Mayor Hosmer closed the public hearing at 7:49 pm.

14. **PRESENTATIONS**

15. **MAYOR'S REPORT**

Mayor Hosmer updated the Council on the first meeting of the Business Round Table that was held last week at the Belknap Mill. There was about eight to ten people that attended and there is interest in continuing to meet.

Mayor Hosmer also spoke of the homeless task force. There have been responses from about 25 people from the both the public and private sectors. The first meeting is schedule for October 19th, 2020 with a definite time to be determined.

16. **COMMITTEE REPORTS**

16.A. **FINANCE (Lipman (Chair), Hamel, Cheney)**

The Finance Committee met earlier this evening to discuss the Internal Control Policy and the City's Investment Policy.

16.A.i. **WOW Trail Funding**

- 16.A.ii. **Downtown TIF Financing**
- 16.B. **PUBLIC SAFETY (Cheney (Chair), Soucy, Lipman)**
- 16.C. **GOVERNMENT OPERATIONS & ORDINANCES (Soucy (Chair), Felch, Cheney)**
 - 16.C.i. **Review of Chapter 167, Noise and Chapter 161 Licensing as it pertains to outdoor sound equipment and loudspeakers**
 - 16.C.ii. **Ordinance Amending Chapter 221, Vehicles and Traffic/Parking on Sublawns**
 - 16.C.iii. **Procedural review of grant applications**
 - 16.C.iv. **Regulation of Short Term Residential Rental Businesses**
 - 16.C.v. **Proposed Historic Overlay District**
 - 16.C.vi. **Scenic Road Motorcycle Noise Petition**
- 16.D. **LANDS & BUILDINGS (Hamel (Chair), Haynes, Felch)**
 - 16.D.i. **Downtown parking garage**
 - 16.D.ii. **Repair & maintenance of City buildings**
 - 16.D.iii. **Perley Pond Maintenance**
 - 16.D.iv. **Plan for the DPW Compound**
 - 16.D.v. **Continuation of the discussion regarding parking in the Lakeport area**
- 16.E. **PUBLIC WORKS (Haynes (Chair), Felch, Soucy)**
 - 16.E.i. **Retaining Wall Policy**
 - 16.E.ii. **Discussion on having the City move from a manual to an automated solid waste pickup system and review of Chapter 194, Solid Waste**

17. LIAISON REPORTS

Councilor Hamel updated the Council in regards to the Colonial.

18. CITIZENS REQUESTS TO COMMENT ON CURRENT AGENDA ITEMS

No comments from the public were made.

19. CITY MANAGER'S REPORT

19.A. Financial and Operational Trends Report

City Manager Myers reviewed the report.

Councilor Hamel questioned the pending grievances, especially the last one on page 4 of the Manager's Report. City Manager Myers explained this particular grievance and how it relates to COVID and how it has been resolved.

Discussion was also had in regards to the Ambulance Billing.

City Manager Myers has administratively approved extending the times from 9:00 pm to 10:00 pm for four loudspeaker permits for weddings that will be held on a Sunday.

City Manager Myers updated the Council in regards to the property on the corner Pickerel Pond Road and Parade Road. The letters that have been sent out have all been ignored therefore it is being turned over to the legal department. The property on the corner of Parade Road and Rollercoaster Road, was supposed to be a trial this past Spring but was delayed because of COVID and is now scheduled for November 6th, 2020.

City Manager Myers also updated the Council with some concerns regarding The Dive that have been brought to the City's attention over the past month. One being signage of no trespassing and its a public dock, another being two unattended propane tanks on the public dock and the third being tenders being docked that are not supposed to be. Discussion was also had in regards to allowing people to swim from Weirs Beach up to The Dive. The City Manager also spoke of The Dive wanting to hook into the sewer system. City Manager Myers explained that that is not allowed and should not be happening.

City Manager Myers also discussed any electricity issues on the dock energizing the water. The City has checked into this. The State has come out with a sign that states no swimming in this area because of electricity being used. The City Manager will forward the emails to the Council that this has been a topic of.

20. NEW BUSINESS

20.A. Proposed changes to the City's solid waste ordinances

City Manager Myers explained the background to this item. Most of the changes are just housekeeping items. One of the changes is the option to purchase a sticker in order to have a third garbage can out during curbside pickup.

Councilor Cheney moved to waive a reading of these Ordinances in their entirety and to read by title only, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Felch moved a first reading of Ordinance 2020-194, Refuse and Household Waste Collection, and Ordinance 194-24, Dump and Disposal Fees, seconded by Councilor Hamel; the ***motion passed with all in favor.***

Councilor Felch moved to schedule a public hearing on October 26, 2020 during the regular Council meeting regarding the proposed changes to Chapter 194 Solid Waste, Article I Refuse and Household Waste Collection and Article III Dump and Disposal Fees to gather public input prior to adoption, seconded by Councilor Haynes; the ***motion passed with all in favor.***

20.B. First reading of Resolution 2020-17 relative to the Lakeport area drainage, roadway, and sidewalk upgrade bond

City Manager Myers explained the background to this item.

Councilor Cheney moved to waive a reading of this Resolution in its entirety and to read by title only, seconded by Councilor Haynes; the ***motion passed with all in favor.***

Councilor Cheney moved a first reading of Resolution 2020-17, a resolution authorizing the City Manager to take any actions necessary to issue bonds for Lakeport Area Drainage, Roadway, and Sidewalk upgrade projects in the amount of \$1,600,000, seconded by Councilor Haynes; the ***motion***

passed with all in favor.

Councilor Felch moved to schedule a public hearing on October 26, 2020 during the regular Council meeting, relative to Resolution 2020-17, to gather public input prior to adoption, seconded by Councilor Cheney; the *motion passed with all in favor.*

20.C. **First reading of Resolution 2020-18 relative to authorizing Bonds and Notes of the City for Water Capital Projects**

Water Superintendent Ben Crawford gave background to this item. He explained the project and how the Water Department will be working in conjunction with the Department of Public Works. The expectation is to have this project begin early to late November with the project to be completed next year at the end of paving season.

Councilor Cheney moved to waive a reading of this resolution in it's entirety and to read by title only, seconded by Councilor Haynes; the *motion passed with all in favor.*

Councilor Felch moved a first reading of Resolution 2020-18, a resolution relative to authorizing the City Manager and the Board of Water Commissioners to bond water projects in the Lakeport area in the amount of \$1,800,000, seconded by Councilor Soucy; the *motion passed with all in favor.*

Councilor Felch moved to schedule a public hearing on October 26, 2020 during the regular Council meeting, relative to Resolution 2020-18, to gather public input prior to adoption, seconded by Councilor Haynes; the *motion passed with all in favor.*

20.D. **Request to support legislation that would create a new Winnepesaukee River Basin Program Commission**

Councilor Hamel moved to support proposed legislation that would create a new Winnepesaukee River Basin Program Commission, seconded by Councilor Haynes;

Councilor Lipman questioned whether the City could back out if the bill takes on something that the City does not agree with.

City Manager Myers explained the bill will be monitored.

Mayor Hosmer called the question:

the *motion passed with all in favor.*

21. **UNFINISHED BUSINESS**

21.A. **Colonial Theatre Management Company Contract**

Mayor Hosmer stated this will be discussed at the next Council meeting.

21.B. **Further discussion regarding the funding for the approved skate park at Opechee Park**

Director Amy Lovisek explained this would allow for the completion of phase one and phase two at the same time with a savings of \$40,000 to \$50,000 by doing so. The following is the breakdown for where the extra \$70,000 will come from to complete the skate park project:

\$35,000 from the Parks User Fees Account

\$35,000 from the Park Co-op Account

Mayor Hosmer is requesting the information as to how the Park Co-op Account money can be spent.

Director Lovisek received a lighting estimate of about \$2,000 from Hutchins Electric.

Mayor Hosmer thinks it seems like a small dollar amount to get lights installed and questions whether that amount should be approved now.

Director Lovisek would like to see the non-profit group raise the money for the lighting and possible fencing so they too have some skin the game.

Councilor Lipman would like an expert to look into the lighting situation.

Councilor Felch moved to authorize the City Manager to sign the change order for full construction of the concrete skate park utilizing the funds listed above, seconded by Councilor Cheney;

Councilor Lipman would like to define what is being fully approved tonight.

Councilor Hamel would like prices set for fencing and lighting so the non-profit group knows what they need to raise.

Mayor Hosmer called the question:

the *motion passed with all in favor.*

21.C. **Third readings of Ordinance 201-15, Excavations, and Ordinance 201-16, Driveway, paving, and digging permits**

Councilor Haynes moved to waive a reading of these Ordinances in their entirety and to read by titles only, seconded by Councilor Felch; the *motion passed with all in favor.*

Councilor Felch moved a third reading of Ordinance 201-15, Excavations, and Ordinance 201-16, Driveway, paving, and digging permits, seconded by Councilor Cheney; the *motion passed with all in favor.*

Councilor Haynes moved to approve Ordinance 201-15, Excavations, and Ordinance 201-16, Driveway, paving, and digging permits, seconded by Councilor Soucy;

Councilor Hamel asked how this would affect contractors installing cable or lighting to homes or businesses.

City Manager Myers explained that when we cut into our roads all the utility companies are contacted and told this would be a time to do any work they needed to do.

Councilor Hamel stated that all the extra charges would probably end up back to the customers.

Mayor Hosmer called the question.

the *motion passed with all in favor.*

22. **COUNCIL COMMENTS**

Councilor Lipman appreciates the cleanup around the Laconia sign and the planting of some mums.

Councilor Cheney would like to ask the City Manager to look into the cost of continuing Zoom even after COVID is over.

23. FUTURE AGENDA ITEMS

23.A. **Master Plan**

23.B. **Milfoil Treatment funding requests**

23.C. **Sewer & Water Master Plan**

23.D. **Single Stream Recycling/Concord Co-op/Solid Waste disposal cost reductions**

23.E. **Strategic Planning/Goal Setting**

23.F. **WOW Trail**

23.G. **Weirs Beach Restoration Project**

23.H. **Fair St/Court St traffic problems and accidents**

24. **Any other business that may come before the Council**

25. **NON-PUBLIC SESSION (According to RSA 91-A:3, II)**

26. **ADJOURNMENT**

With no further business to come before the Council and hearing no objection, Mayor Hosmer adjourned the meeting at 9:14 pm.

Respectively submitted

Cheryl Hebert, City Clerk